



General Assembly

**Substitute Bill No. 7276**

January Session, 2017

\* \_\_\_\_\_HB07276ED\_\_\_\_\_032717\_\_\_\_\_\*

**AN ACT CONCERNING EDUCATION MANDATE RELIEF.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-66q of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2017*):

3 (a) Not later than April 1, 2014, each regional educational service  
4 center shall develop a uniform regional school calendar [to be used]  
5 that may be adopted by each local or regional board of education in  
6 the area served by such regional educational service center, in  
7 accordance with the provisions of [subsections (b) and (c)] subsection  
8 (b) of this section. Such uniform regional school calendars shall be  
9 consistent with the guidelines for a uniform regional school calendar  
10 developed pursuant to section 321 of public act 13-247. Not later than  
11 April 1, 2014, each regional educational service center shall submit  
12 such uniform regional school calendar to the State Board of Education  
13 for approval. Not later than five days after such approval, such  
14 regional educational service center shall submit such approved  
15 uniform regional school calendar to the joint standing committee of the  
16 General Assembly having cognizance of matters relating to education,  
17 in accordance with the provisions of section 11-4a.

18 (b) For the school [years] year commencing [July 1, 2014, and July 1,  
19 2015] July 1, 2017, and each school year thereafter, a local or regional

20 board of education may adopt the uniform regional school calendar  
21 developed and approved pursuant to subsection (a) of this section.

22 [(c) (1) Except as provided in subdivision (2) of this subsection, for  
23 the school year commencing July 1, 2016, and each school year  
24 thereafter, each local and regional board of education shall use the  
25 uniform regional school calendar developed and approved pursuant to  
26 subsection (a) of this section.

27 (2) A local or regional board of education may delay  
28 implementation of the uniform regional school calendar until the  
29 school year commencing July 1, 2017, if such board of education has an  
30 existing employee contract that makes implementation of the uniform  
31 regional school calendar impossible.

32 (d) (1) Not later than July 1, 2014, the Commissioner of Education  
33 shall submit a report on the implementation of uniform regional school  
34 calendars and any recommendations for legislation relating to such  
35 implementation to the joint standing committee of the General  
36 Assembly having cognizance of matters relating to education, in  
37 accordance with the provisions of section 11-4a.

38 (2) Not later than January 1, 2015, and July 1, 2016, the  
39 Commissioner of Education shall submit a report on the  
40 implementation of uniform regional school calendars in those school  
41 districts that have adopted a uniform regional school calendar,  
42 pursuant to subsection (b) of this section, and any recommendations  
43 for legislation relating to such implementation to the joint standing  
44 committee of the General Assembly having cognizance of matters  
45 relating to education, in accordance with the provisions of section 11-  
46 4a.]

47 [(3)] (c) Not later than [January 1, 2016, and] July 1, 2017, and  
48 annually thereafter, the Commissioner of Education shall submit a  
49 report on which boards of education have adopted the uniform  
50 regional school calendar and the implementation of such uniform

51 regional school calendars, pursuant to subsection [(c)] (b) of this  
52 section, and any recommendations for legislation relating to such  
53 implementation to the joint standing committee of the General  
54 Assembly having cognizance of matters relating to education, in  
55 accordance with the provisions of section 11-4a.

56 Sec. 2. Subsection (d) of section 10-233d of the general statutes, as  
57 amended by section 12 of public act 16-147, is repealed and the  
58 following is substituted in lieu thereof (*Effective August 15, 2017*):

59 (d) No local or regional board of education is required to offer an  
60 alternative educational opportunity, except in accordance with this  
61 section. Any pupil under sixteen years of age who is expelled shall be  
62 offered an alternative educational opportunity, which shall be  
63 [equivalent to] (1) alternative education, as defined by section 10-74j,  
64 with an individualized learning plan, if such board provides such  
65 alternative education, or (2) in accordance with the standards adopted  
66 by the State Board of Education, pursuant to section 3 of this act,  
67 during the period of expulsion, provided any parent or guardian of  
68 such pupil who does not choose to have his or her child enrolled in an  
69 alternative educational [program] opportunity shall not be subject to  
70 the provisions of section 10-184. Any pupil expelled for the first time  
71 who is between the ages of sixteen and eighteen and who wishes to  
72 continue his or her education shall be offered such an alternative  
73 educational opportunity if he or she complies with conditions  
74 established by his or her local or regional board of education. Such  
75 alternative educational opportunity may include, but shall not be  
76 limited to, the placement of a pupil who is at least seventeen years of  
77 age in an adult education program pursuant to section 10-69. Any  
78 pupil participating in [an] any such adult education program during a  
79 period of expulsion shall not be required to withdraw from school  
80 under section 10-184. A local or regional board of education shall count  
81 the expulsion of a pupil when he was under sixteen years of age for  
82 purposes of determining whether an alternative educational  
83 opportunity is required for such pupil when he is between the ages of

84 sixteen and eighteen. A local or regional board of education may offer  
85 an alternative educational opportunity to a pupil for whom such  
86 alternative educational opportunity is not required pursuant to this  
87 section.

88 Sec. 3. (NEW) (*Effective from passage*) Not later than August 15, 2017,  
89 the State Board of Education shall adopt standards for the provision of  
90 an adequate alternative educational opportunity, offered pursuant to  
91 subsection (d) of section 10-233d of the general statutes, as amended by  
92 this act. Such standards shall include, but need not be limited to, the  
93 kind of instruction and number of hours to be provided to a student  
94 enrolled in an alternative educational opportunity.

95 Sec. 4. (*Effective July 1, 2017*) (a) Not later than January 1, 2018, the  
96 Department of Education shall conduct a survey of local and regional  
97 boards of education and their use of digital school management and  
98 reporting software. The survey shall include questions relating to  
99 whether a local or regional board of education uses a digital school  
100 management and reporting software for the purposes of creating,  
101 submitting and sharing digital copies of education-related documents  
102 with the Department of Education and among authorized users, and  
103 whether such software (1) allows authorized users to create and  
104 submit a complete digital copy of education-related documents to the  
105 portal and share such digital copy with (A) the department, and (B) a  
106 local or regional board of education in a case where the student may  
107 transfer, (2) provides twenty-four-hour access for an unlimited number  
108 of authorized users to use the digital school management and  
109 reporting software, (3) allows local and regional boards of education to  
110 purchase additional programs to supplement the digital school  
111 management and reporting software, and (4) protects the privacy of  
112 students when any education-related document is created, submitted  
113 and shared using the digital school management and reporting  
114 software from unauthorized access, destruction, use, modification or  
115 disclosure in accordance with current industry standards.

116 (b) The department shall compile the results of such survey and

117 submit a report on its findings to the joint standing committee of the  
118 General Assembly having cognizance of matters relating to education,  
119 in accordance with the provisions of section 11-4a of the general  
120 statutes. Such report shall include any recommendations regarding the  
121 state-wide implementation of a uniform digital school management  
122 and reporting software based on the results of the survey concerning  
123 any such software that is currently used and successfully implemented  
124 by local and regional boards of education in the state.

125 (c) For the purposes of this section, "education-related documents"  
126 means a student's education records and any report required under  
127 title 10 of the general statutes, including, but not limited to, the  
128 strategic school profile report, as described in subsection (c) of section  
129 10-220 of the general statutes, and data submitted for inclusion in the  
130 state-wide public school information system, pursuant to section 10-  
131 10a of the general statutes.

132 Sec. 5. Subsection (o) of section 10-236b of the general statutes is  
133 repealed and the following is substituted in lieu thereof (*Effective July*  
134 *1, 2017*):

135 (o) (1) Each local or regional school district shall provide training [to  
136 school professionals, paraprofessional staff members and  
137 administrators] regarding the physical restraint and seclusion of  
138 students to only those teachers, as defined in section 10-144d,  
139 administrators, as defined in section 10-144e, and school  
140 paraprofessionals who have direct contact with students, and any  
141 other school employee, as defined in section 10-222d, designated by  
142 the school principal. Such training shall be phased in over a period of  
143 three years beginning with the school year commencing July 1, [2015]  
144 2017, and shall include, but not be limited to:

145 (A) An overview of the relevant laws and regulations regarding the  
146 use of physical restraint and seclusion on students. Such overview  
147 shall be provided by the Department of Education to [all school  
148 professionals, paraprofessional staff members and administrators]

149 such teachers, administrators, school paraprofessionals and other  
150 school employees on or after July 1, [2015] 2017, and annually  
151 thereafter, in a manner and form as prescribed by the Commissioner of  
152 Education;

153 (B) The creation of a plan by which each local or regional board of  
154 education shall provide [school professionals, paraprofessional staff  
155 members and administrators] such teachers, administrators, school  
156 paraprofessionals and other school employees with training and  
157 professional development regarding the prevention of incidents  
158 requiring physical restraint or seclusion of students. Such plan shall be  
159 implemented not later than July 1, 2017, and shall include a provision  
160 to require the training of [all school professionals, paraprofessional  
161 staff members and administrators] such teachers, administrators,  
162 school paraprofessionals and other school employees in the prevention  
163 of such incidents not later than July 1, 2019. The Department of  
164 Education may, within available appropriations, provide ongoing  
165 monitoring and support to local or regional boards of education  
166 regarding the formulation and implementation of the plan; and

167 (C) The creation of a plan by which each local or regional board of  
168 education shall provide [school professionals, paraprofessional staff  
169 members and administrators] such teachers, administrators, school  
170 paraprofessionals and other school employees with training and  
171 professional development regarding the proper means of physically  
172 restraining or secluding a student, including, but not limited to, (i)  
173 various types of physical restraint and seclusion; (ii) the differences  
174 between life-threatening physical restraint and other varying levels of  
175 physical restraint; (iii) the differences between permissible physical  
176 restraint and pain compliance techniques; and (iv) monitoring  
177 methods to prevent harm to a student who is physically restrained or  
178 in seclusion. Such plan shall be implemented not later than July 1,  
179 2017, and shall include a provision to require the training of [all school  
180 professionals, paraprofessional staff members and administrators]  
181 such teachers, administrators, school paraprofessionals and other

182 school employees in the proper means of physically restraining or  
183 secluding a student not later than July 1, 2019, and periodically  
184 thereafter as prescribed by the Commissioner of Education;

185 (2) Not later than July 1, 2015, and each school year thereafter, each  
186 local or regional board of education shall require each school in the  
187 district to identify a crisis intervention team consisting of [school  
188 professionals, paraprofessional staff members and administrators]  
189 such teachers, administrators, school paraprofessionals and other  
190 school employees who have been trained in the use of physical  
191 restraint and seclusion pursuant to subparagraph (C) of subdivision (1)  
192 of this subsection or chapter 814e. Such teams shall respond to any  
193 incident in which the use of physical restraint or seclusion may be  
194 necessary as an emergency intervention to prevent immediate or  
195 imminent injury to a student or to others. Each member of the crisis  
196 intervention team shall be recertified in the use of physical restraint  
197 and seclusion pursuant to subparagraph (C) of subdivision (1) of this  
198 subsection or chapter 814e on an annual basis.

199 Sec. 6. Subsection (k) of section 10-222c of the general statutes is  
200 repealed and the following is substituted in lieu thereof (*Effective July*  
201 *1, 2017*):

202 (k) For purposes of this section and section 10-221d, (1) "sexual  
203 misconduct" means any verbal, nonverbal, written or electronic  
204 communication, or any other act directed toward or with a student  
205 that is designed to establish a sexual relationship with the student,  
206 including a sexual invitation, dating or soliciting a date, engaging in  
207 sexual dialog, making sexually suggestive comments, self-disclosure or  
208 physical exposure of a sexual or erotic nature and any other sexual,  
209 indecent or erotic contact with a student; [and] (2) "abuse or neglect"  
210 means abuse or neglect as described in section 46b-120, and includes  
211 any violation of section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or  
212 53a-73a; and (3) "former employer" means any person, firm, business,  
213 educational institution, nonprofit agency, corporation, limited liability  
214 company, the state, any political subdivision of the state, any

215 governmental agency, or any other entity that such applicant was  
 216 employed by during any of the previous twenty years prior to  
 217 applying for a position with a local or regional board of education,  
 218 governing council of a state or local charter school or interdistrict  
 219 magnet school operator.

|   |                        |             |
|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                        |             |
| Section 1   | <i>July 1, 2017</i>    | 10-66q      |
| Sec. 2  | <i>August 15, 2017</i> | 10-233d(d)  |
| Sec. 3  | <i>from passage</i>    | New section |
| Sec. 4  | <i>July 1, 2017</i>    | New section |
| Sec. 5  | <i>July 1, 2017</i>    | 10-236b(o)  |
| Sec. 6  | <i>July 1, 2017</i>    | 10-222c(k)  |

***Statement of Legislative Commissioners:***

In Section 2, "A local or regional board of education shall only be required to offer an alternative educational opportunity in accordance with this section." was changed to "No local or regional board of education is required to offer an alternative educational opportunity, except in accordance with this section." for consistency with standard drafting conventions.

***ED***      *Joint Favorable Subst.*